

The United States of America

To all to whom these presents shall come, Greeting:

AA-10474

WHEREAS

Sealaska Corporation

is entitled to a patent pursuant to Sec. 14(h)(1) and 14(h)(7) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(h)(1), 1613(h)(7), of the surface and subsurface estates in the following-described lands:

Lots 1 and 2, U.S. Survey No. 9766, Alaska.

Containing 1.29 acres, as shown on the plat of survey officially filed June 14, 1990.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface and subsurface estates in the lands above described; TO HAVE AND TO HOLD the said lands with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easement, referenced by easement identification number (EIN) on the easement map, a copy of which can be found in the Bureau of Land Management's Public Land Records, is reserved to the United States. This easement is subject to applicable, Federal, State, or municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

(EIN 1 J) A 0.06 acre easement for an existing U.S. Coast Guard navigation aid known as Dry Pass Daybeacon No. 26, located within U.S. Survey No. 9766. The uses allowed are those uses associated with the construction, reconstruction, operation, and maintenance of the navigation aid, the right to ingress/egress and control of the arc of visibility enabling mariners to see the aid in El Capitan Passage and the right to clear and keep the lands clear from any obstruction

Patent Number **50 - 96 - 0574**

AA-10474

infringing upon or penetrating the airspace, the right to remove buildings or obstructions of any type which may infringe upon or extend into the airspace, and the right to prohibit use on and remove from the lands beneath the airspace any object which would create interference for users of the navigation aid. Use of the site easement is limited to the United States Government, its authorized agents and assigns.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
2. A covenant, running with the land, providing that (1) Sealaska Corporation shall not authorize mining or mineral activities of any type; nor shall it authorize any use which is incompatible with or is in derogation of the values as a cemetery site (the standards for determining incompatibility or derogation are found in 36 CFR 800.3 (1982) which contains the Advisory Council on Historic Preservation criteria of effect and adverse effect); and (2) that the United States reserves the right to seek enforcement of the covenant in an action in equity.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in ANCHORAGE, ALASKA
the THIRTY-FIRST day of JULY
in the year of our Lord one thousand nine hundred and
NINETY-SIX and of the Independence of the
United States the two hundred and TWENTY-FIRST.

/s/ Terry R. Hassett

By _____
Terry R. Hassett
Chief, Branch of 962 Adjudication

Patent Number **50 - 96 - 0574**